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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,871	02/20/2004	Piero Patrone Bonissone	52493.000365	5127

6147 7590 06/02/2009  
GENERAL ELECTRIC COMPANY  
GLOBAL RESEARCH  
PATENT DOCKET RM. BLDG. K1-4A59  
NISKAYUNA, NY 12309

EXAMINER
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VEZERIS, JAMES A

ART UNIT	PAPER NUMBER
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3693

NOTIFICATION DATE	DELIVERY MODE
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06/02/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ldocket@crd.ge.com  
rosssr@crd.ge.com  
parkskl@crd.ge.com



### **Final Rejection**

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### **Response to Applicant's Arguments**

2. The rule 130 affidavit filed on 5/13/2009 under 37 CFR 1.131 is sufficient to overcome the Chakraborty reference.
3. Examiner is re-examining the claims entered on 10/781,871 in response to the non-final rejection dated 2/7/08.
4. Claims 1, 5-9, 13-15, 17, 20-21, 26, 30, and 33-35 are currently pending.

**Claim Rejections- 35 U.S.C. 112 2nd paragraph**

5. Claims 1, 5-9, 13-15, 17, 20-21, 26, 30, and 33-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 1 and 26 are rejected under 112 for not clearly defining what is being claimed. It is unclear how one would generate a non-dominated solution set comprising an efficient frontier in an original portfolio performance space having three dimensions. Examiner would like claim language to clearly define what exactly comprises an original portfolio performance space and what at least three dimensions are.
7. Claims 1 and 26 are unclear in how they impose a sequence of user-specified constraints in at least one of the original portfolio performance space and a portfolio configuration space. It is unclear what a portfolio configuration comprises. It is also unclear what the initial solution subset contains.
8. Claims 1 and 26 are also unclear on what makes up a lower dimensional portfolio performance space, and where this performance space is derived from. Examiner reminds applicant that the claims will be read in light of the specification but at the same time the claims will be given the broadest reasonable interpretation. As such examiner hopes applicant further defines and explains what the claim language means using information from the specification in the claim language. Examiner further notes that all new 112 rejections stem from amendments made to the original claim language allowing this action to properly be final.

Art Unit: 3693

9. All dependent claims are rejected under 112 for being dependent upon rejected claims.

10. Claims 1, 5-9, 13-15, 17, 20-21, 26, 30, and 33-35 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES A. VEZERIS whose telephone number is (571)270-1580. The examiner can normally be reached on Monday-alt. Fridays 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3693

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/  
Supervisory Patent Examiner, Art Unit 3693

/JAMES A VEZERIS/  
Examiner, Art Unit 3693

5/26/2009